



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

CERTIFIED MAIL - FIRST CLASS MAIL
RETURN RECEIPT REQUESTED

8P-R

Gautam Patwardhan
Environmental Compliance Supervisor
Waste Connections, Inc.
P.O. Box 3307
Pueblo, CO: 81005

SEP 11 2012

RE: The Broadacre Landfill is Acceptable Pursuant to the
CERCLA Off-Site Rule

Dear Mr. Patwardhan:

This letter is in response to your email message sent on May 14, 2012, in which you requested an Off-Site Rule (OSR) acceptability determination for the Broadacre Landfill located in Avondale, Colorado. As you may be aware, EPA promulgated the OSR to assure that wastes from sites being cleaned up under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) are sent to treatment, storage and disposal facilities that are environmentally sound, thereby preventing those wastes from contributing to present or future environmental problems.

EPA has completed its evaluation of the currently-active landfill cell at the Broadacre Solid Waste Landfill facility and has determined that this waste management unit is acceptable to receive waste generated pursuant to CERCLA. This determination was based largely on information provided in a July 13, 2012 email from Jerry Henderson, Unit Leader of the Solid Waste Compliance Assurance Unit at the Colorado Department of Public Health and Environment (CDPHE). In that email, Mr. Henderson provided information on the two criteria that EPA uses as the basis to determine the acceptability of the facility: relevant violations and uncontrolled releases. Mr. Henderson reported that there are no pending violations against the Broadacre Solid Waste Landfill and that the landfill is currently in physical compliance. Mr. Henderson also reported that there are no known indications that an environmentally significant release of hazardous substances has occurred at the Broadacre Solid Waste Landfill.

In addition to consulting with the State, EPA conducted a site visit of the Broadacre Solid Waste Landfill facility on September 6, 2012. EPA findings from that visit were consistent with the State's conclusion that the facility satisfies the two criteria.

For your convenience, I have enclosed a copy of the OSR with the preamble as it appeared in the Federal Register. The rule without the preamble can also be found in the Code of Federal Regulations at 40 CFR




Printed on Recycled Paper

300.440.

If you have any questions regarding this letter or the CERCLA Off-Site Rule, please contact Terry Brown, Off-Site Rule Coordinator for EPA-Region 8, at (303) 312-6419.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven A. Burkett", written over a horizontal line.

Steven A. Burkett, Director
Resource Conservation and Recovery Program

Enclosure

Cc: Jerry Henderson - CDPHE